

Kevin T. Snider, State Bar No. 170988

Counsel of record

Mathew B. McReynolds, State Bar No. 234797

PACIFIC JUSTICE INSTITUTE

P.O. Box 276600

Sacramento, CA 95827

Tel. (916) 857-6900

Fax (916) 857-6902

Email: kevinSnider@pacificjustice.org

mattmcReynolds@pacificjustice.org

Peter MacDonald, State Bar No. 69789

LAW OFFICE OF PETER MACDONALD

400 Main Street, Suite 210

Pleasanton, CA 94566-7371

Tel. (925) 462-0191

Fax. (925) 462-0404

Email: pMacdonald@MacdonaldLaw.net

Attorneys for Plaintiff and Real Party in Interest

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

INTERNATIONAL CHURCH
FOURSQUARE GOSPEL,

Plaintiff,

v.

CITY OF SAN LEANDRO,

Defendants.

) Case No.: CO7-03605-PJH-JCS

)

) **DECLARATION OF DAVE**
) **MORTARA IN SUPPORT OF**
) **MOTION FOR PARTIAL**
) **SUMMARY ADJUDICATION**

)

)

)

)

)

Date: September 3, 2008

Time: 9:00 a.m.

Courtroom: 3

Hon.: Phyllis J. Hamilton

FAITH FELLOWSHIP FOURSQUARE)
CHURCH,)

Real Party in Interest.)

1 I, Dave Mortara, do hereby declare as follows:

2
3 1. That if called upon, I could and would testify truthfully, as to my own
4 personal knowledge, as follows:

5 2. I am the administrator for Faith Fellowship Church.

6
7 3. I have reviewed the item marked Exhibit 11. The exhibit comprises
8 two documents for two loans on the property known as 14600 and 14850 Catalina
9 Street, in San Leandro, CA. The Catalina property is the property that Faith
10 Fellowship desires to use for religious assembly and is the subject of this lawsuit.

11
12 4. The first loan has a principal balance of \$3,932,172.45, with monthly
13 payments in the amount of \$25,430.98. The second loan has a principal balance of
14 \$1,295,318.57, with monthly payments in the amount of \$8,378.90. In sum, the
15 total monthly mortgage payment for the Catalina property is \$33,809.88.

16
17 I declare, under penalty of perjury under the laws of the State of California
18 and the United States of America, that the foregoing is true and correct and is of my
19 own personal knowledge, and indicate such below by my signature executed on this
20 25th day of July, 2008, in the County of Alameda, City of San Leandro.
21
22

23
24 /s/
25 Dave Mortara, Declarant
26
27
28

DECLARATION OF DAVE MORTARA

Attorney Attestation re Signature

I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.

/S/ Kevin Snider

Kevin T. Snider

Mathew B. McReynolds

Peter D. MacDonald

Attorneys for Plaintiff and

Real Party in Interest